

UNITED STATES BANKRUPTCY COURT
EASTERN DIVISION OF NORTH CAROLINA
GREENVILLE DIVISION

IN RE:)
) CHAPTER 13
JACK REYBURN BURRUS,) CASE NO.: 13-07317-8-RDD
)
DEBTOR)

OBJECTION TO CLAIM

NOW COMES the Debtor Jack Reyburn Burrus (hereinafter “Debtor”) pursuant to 11 U.S.C. §502(a)(9) and Bankruptcy Rule 3007, and objects to the proof of claim filed by Bank of America, N.A. (hereinafter “Claim No. 4”). In support of this objection, the Debtor shows the Court the following:

1. The Debtor filed this Chapter 13 case on November 24, 2013.
2. The 341 Creditors Meeting was first scheduled for December 20, 2013.
3. Pursuant to Bankruptcy Rule 3002(c), the bar date for filing claims was March 20, 2014.
4. Bank of America, N.A. filed its claim on April 24, 2014.
5. The claim was not timely filed and is not an allowable claim pursuant to 11 U.S.C. §502(a)(9).
6. By objecting to this claim, the Debtor does not seek to impair or eliminate the validity of any lien that Bank of America, N.A. has upon the property of the estate or property of the Debtor.

WHEREFORE, the Debtor objects to the claim filed by Bank of America, N.A., and requests that the Court disallow the claim with the result being that Bank of America, N.A. is not entitled to any distribution or payments, but that its lien remains intact and unimpaired.

This the 7th day of May, 2014.

S/: William E. Brewer, Jr.

William E. Brewer, Jr.
N.C. State Bar No: 7018
311 E. Edenton Street
Raleigh, North Carolina 27601
Telephone No.: (919) 832-2288
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VERIFICATION

I, Jack R. Burrus, declare under penalty of perjury that the Objection to Proof of claim of Bank of America, N.A. is true and correct to the best of my knowledge, information, and belief.

Dated: 5/7/14

S/: Jack R. Burrus
Jack R. Burrus

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**NOTICE OF OBJECTION TO CLAIM
OF BANK OF AMERICA (CLAIM NO. 4)**

The attorneys for Debtor in the above-captioned bankruptcy case have filed papers with the court objecting to Proof of Claim No. 4 filed by Bank of America.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the **Objection to Claim**, or if you want the court to consider your views on the motion, then on or before June 8, 2014, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, and answer explaining your position, and a request for hearing at:

US Bankruptcy Court
P.O. Box 791
Raleigh, NC 27602

If you mail your request/response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to: Richard M. Stearns
1015 Conference Dr.
Greenville, NC 27858

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

This the 7th day of May, 2014.

S/: William E. Brewer, Jr.

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CERTIFICATE OF SERVICE

I, Deana M. Leggett of The Brewer Law Firm, do hereby certify that I served the attached Objection to Claim upon the parties listed below by mailing a copy thereof to said parties at the address indicated below with its proper postage attached and deposited in an official depository under the exclusive care and custody of the United States Post Office in Raleigh, North Carolina or by the ECF System as allowed by law.

Bank of America, N.A.
Attention: Banking Officer/Managing Agent
Mail Stop TX2-982-03-03
7105 Corporate Drive PTX-B-209
Plano, TX 75024

VIA CERTIFIED MAIL

Neil D. Jonas
Rogers Townsend & Thomas, PC
2550 W. Tyvola Rd., Suite 520
Charlotte, NC 28217

This the 7th day of May, 2014.

S/: Deana M. Leggett
Deana M. Leggett